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**ENVIRONMENT & FORESTS(FR.10)
DEPARTMENT, SECRETARIAT,
CHENNAI 9.**

Letter No.21947/FR.10/2016-6, Dated: 24.07.2017.

From
Thiru. Md. Nasimuddin, I.A.S.,
Principal Secretary to Government.

To,
The Additional Principal Chief Conservator of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office (SEZ),
No.1st & 2nd Floor,
HEPC Building, Cathedral Garden Road,
Nungambakkam, Chennai-34 (w.e).

Sir,

Sub: Forest (Conservation) Act, 1980 - Proposal for diversion of 0.38 ha. of land in Pulicat Lake Sanctuary of Wildlife Division, Chennai for construction of fish landing centre at Periyamangodu Village in Tiruvallur District in favour of Commissioner of Fisheries, Fisheries Department, Teynampet, Chennai-6 under Section 2 of Forest (Conservation) Act, 1980 - Regarding.

Ref: From the Principal Chief Conservator of Forests Letter No. TS3/21773/2016, dated 19.09.2016, 15.05.2017 and 12.06.2017.

I am directed to state that in the reference cited, the Principal Chief Conservator of Forests (HoD) has stated that the User Agency, i.e., Commissioner of Fisheries, Fisheries Department, Teynampet, Chennai-6 has submitted online Application under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.38 ha. of sanctuary land in Pulicat birds Sanctuary of wildlife Division, Chennai for construction of Fish landing centre with allied activities at Periyamangodu Village in Tiruvallur District for a period of 20 years.

2. The Principal Chief Conservator of Forests has also stated that the User Agency has proposed for construction of Fish landing centre including Fish Auction Hall, Net mending shed, toilets, deepening of leading and berthing channels at Periyamangodu villages of Ponneri Taluk in Tiruvallur District. The site is located within the Pulicat Lake Birds Sanctuary on vacant land. The project involves construction of Fish landing centre including Fish Auction Hall, Net mending shed, toilets, deepening of leading and berthing channels for the fisherman of the surrounding villages and it will directly benefit 2350 fisher folk and indirectly benefit 1400 persons in the surrounding. The mentioned land is vacant and barren and there will be no impact on flora and fauna in the area. The project will not have any

p.t.o.

vegetative impacts on the Sanctuary. Thus, the project is located within the boundaries of Pulicat Lake Birds Sanctuary and the Executive Engineer, Fishing Harbour Project Division, Chennai has furnished the survey number details of land under which fish landing centre and allied works are proposed in the Periyamangodu village as follows:-

S1. No.	Description	Size	Area in Sq.m	Survey No. under which construction proposed
1	Auction hall	20mx8m	160	56/2
2	Net Mending Shed	18mx6m	106	56/2
3	Gear Shed	24mx12.15m	292	56/2
4	Admin & Bank Building	12mx6m	72	56/2
5	Electrical Room	6mx6m	36	56/2
6	Security Room	3mx3m	9	56/2
7	Parking Shed-I	6mx5.50m	33	56/2
8	Parking Shed-2	6.50mx6.50m	42	56/2
9	Ladies toilet	6mx4m	24	56/5
10	Gents toilet	6mx4m	24	56/5
	Sub total		800	
	Water side			
11	F ish landing area Channel	100mx30m	3000	Pulicat lake
	Total		3800 (OR) 0.380 Ha	

Survey Field.No.56/2and 56/5 (totally 0.80 ha.) have not been declared as 'Forest' under Tamil Nadu Forest Act, 1882 and also not under the control of Forest Department. However, whole of village limits of Mangodu village has been included in the boundary of 'Pulicat Lake Birds Sanctuary'.

Fish landing area-leading channel of 0.30 ha. area falls in Pulicat Lake. This area is also not declared as 'Forest' under Tamil Nadu Forest Act, 1882. However, this lake area has been notified as "Pulicat Lake Birds Sanctuary" and it is under the control of Forest Department for implementation of Wildlife (Protection) Act 1972 (Wildlife Division, Chennai-Pulicat Birds Sanctuary). Prior intimation has been given to the PWD and Revenue Department who are owner of the lands vide Government Letter No.21947/FR.10/2016-5, Environment and Forests Department, dated 05.07.2017 in this regard for their information.

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Since the diversion of area is within the limits of Pulicat Lake Birds Sanctuary (Village area and Lake area) provisions of Forest(Conservation) Act, 1980 is applicable for this case and approval of Government of India is required.

3. The Principal Chief Conservator of Forests has also stated that in a similar case, for the construction of high level bridge at KM 0/4 of Chennai-Pulicat road to Pasiyavaram road including approaches through Pulicat Lake Birds Sanctuary, proposal furnished by the Highways Department has been forwarded to Government of India in Government Letter No.14387/FR.10/2016-1, dated 26.07.2016, Stage I approval was accorded by the Government of India in Letter F.No.4/TNB-008/2016/CHN/1538; dated 01.08.2016. Hence the present case of Fish Landing Centre and allied works in Pulicat Lake Birds Sanctuary will also attract the provisions of Forest(Conservation) Act, 1980.

4. The Principal Chief Conservator of Forests has further stated that the User Agency has obtained the recommendation of the Standing Committee of National Board for Wildlife (F.No.6-209, 2014-WL-1-32 and in its letter dated 25.02.2015) for diversion of 0.65 ha. of forest land from Pulicat Lake Birds Sanctuary for construction of fish landing centre at Periyamongodu Village in Thiruvallur District with the following observations:-

“ The Standing Committee of National Board for Wildlife felt that diversion of the land within the Sanctuary is not likely to cause any destruction of wetland habitat and the sustenance of the livelihood can further strengthen the conservation efforts by working with the communities. After discussion, the Standing Committee decided to recommend the proposal subject to compliance of the conditions stipulated by the Chief Wildlife Warden”.

The Principal Chief Conservator of Forests has also stated that a joint inspection by Wildlife Warden, and Fisheries Department officials was conducted on 29.04.2015 at Periyamongodu village. The actual area required for fish landing centre has been finalized as 0.38 ha. He has further stated that the User Agency has furnished relevant details of undertakings / certificates/ maps along with the proposal.

5. The Principal Chief Conservator of Forests has also stated that the proposal has been forwarded to the Wildlife Warden, Chennai on 20.07.2016 and as per Forest (Conservation) Act, 1980 guidelines, Compensatory Afforestation land may not be insisted for the area diversion of below one hectare. In this case, area diversion proposed is 0.38 ha. only and no tree felling is involved. Hence, the Wildlife Warden, Chennai has not insisted Compensatory Afforestation work. After field inspection, the Wildlife Warden, Chennai has forwarded the proposal along with her Site Inspection Report and recommendation of the proposal to the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur in the Part-II of Form-A.

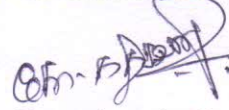
6. The Principal Chief Conservator of Forests has further stated that, the Wildlife Warden, Chennai has reported that the legal status of the proposed site of diversion of 0.38 ha. of Pulicat Lake Sanctuary of Wildlife Diversion, Chennai for construction of fish landing centre in Periyamangodu village is "Others" and reported that the land is not a reserved forest but is declared as Sanctuary and reported that the site where the construction of fish landing centre is proposed is located within the limits of Pulicat Birds Sanctuary. The Fish landing centre is proposed to be undertaken under the Tsunami Rehabilitation Project with the view to improve the standard of living of local fisherman and to add hygiene to the environment. The activities to be undertaken at the proposed fish landing centre include construction of Auction Hall, Net mending Shed, Berthing structure, Security room, Water facilities, approach road and toilets facilities. Several representations have been received from the fishermen for the Construction of Fish landing centre at Periyamangodu. The proposed site is devoid of any vegetation and is located adjacent to the lake waters. The Project will not have adverse affect on the biodiversity of lake and the Additional Principal Chief Conservator of Forests and Director, Arignar Anna Zoological Park, Vandalur has agreed to the recommendation of the Wildlife Warden, Chennai.

7. The Principal Chief Conservator of Forests has finally recommended and requested to forward the above proposal to the Government of India, Ministry of Environment, Forests and Climate Change for diversion of 0.38 ha. of sanctuary land under Section 2 of Forest(Conservation)Act, 1980 at Pulicat Lake Birds Sanctuary of Wildlife, Chennai for construction of fish landing centre with allied activities at Periyamangodu Village in Tiruvallur District, in favour of the Commissioner of Fisheries, Fisheries Department, DMS compound, Teynampet, Chennai-6 for a period of twenty years subject to the following conditions :-

- i. The legal status of the sanctuary land remains unchanged.
- ii. The demarcation of the proposed sanctuary land in the field shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- iii. The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- iv. User Agency has to bear the additional Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.
- v. The User Agency has to pay the cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted / or the above project in future.
- vi. Period of lease i.e., period of diversion can be for twenty (20) years. The User Agency has to apply for the renewal proposal before six months of expiry of lease with the State Forest Department.

8. The Government have carefully examined the proposal of the Principal Chief Conservator of Forests (HoD) for diversion of 0.38 ha. of Sanctuary land at Pulicat Birds Sanctuary of wildlife, Chennai for construction of Fish landing centre with allied activities at Periyamangodu Village in Tiruvallur district in favour of the Commissioner of Fisheries, Fisheries Department, Teynampet, Chennai-6 for a period of twenty years under section' 2 of Forest (Conservation) Act, 1980 and decided to forward the same. I am therefore directed to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forest and Climate Change and communicate the same to this Government early.

Yours faithfully,



for Principal Secretary to Government



Copy to:

The Principal Chief Conservator of Forests (HoD), Chennai-15.

The Principal Chief Conservator of Forests & Chief Wildlife Warden, Chennai-15.

The Commissioner of Fisheries, Fisheries Department, Teynampet, Chennai-6.

SF/SC.

PART V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

18.Recommendation of the State Government

Recommended.

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)



Signature

A. GUAPRAKASAM
UNDER SECRETARY TO
Name & Designation
(Official Seal) *Govt*

Date : *24. 7.17*

Place : *Chennai. 9*

Under Secretary to Government
Environment and Forests Department
Secretariat, Chennai-9.